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On November 19, 1984, WISE identified TOMMY WARD in a seven man line-up as looking like one of the men that was in J.P.'S Store April 28, 1984.

STEVE HARAWAY received a telephone call from DONNA on April 28, 1984, at about 1930 hours and she asked him to look up a word for her in the dictionary. She was studying for her teacher's examination. The conversation lasted about five or ten minutes and everything appeared to be all right.

HARRY LYNN LESLIE was acquainted with TOMMY WARD FONTENOT. After McAnally's robbery, LESLIE noticed that WARD acted depressed, almost to the point of being despondent at times. WARD told LESLIE that he (WARD) had stolen a safe from McAnally's Store on Broadway and got a considerable amount of money from it. WARD also told LESLIE that he (WARD) would like to rob McAnally's on Arlington.

WARD bragged to LESLIE that WARD and a person named DUSTY (Last Name Unknown) pulled either a robbery or burglary in South Carolina and got away with a large amount of narcotics. WARD said he either shot or shot at a police officer who got after them.

LESLIE and WARD partied together numerous times and WARD's favorite place was the power plant on Reeves Road west of Ada. WARD and FONTENOT were very close and FONTENOT would do anything WARD asked him to do.

J. L. McCONNELL had lived next door to WARD and had known TOMMY WARD all of WARD's life. McCONNELL had seen WARD, FONTENOT and some of the people they ran around with in an early 1970's model Chevrolet pickup, with a long wide bed and it had spotted gray paint with gray primer on it. The pickup also had an off colored door on it but he could not recall if it was on the driver or passenger side of the truck. He first saw the pickup about one month before McAnally's robbery and last saw it around April 21, 1984, parked on Sandy Creek Drive.

On October 18, 1984, THOMAS JESSIE WARD told OSBI Agents GARY ROGERS and RUSTY FEATHERSTONE, and Detective Captain DENNIS SMITH that he (WARD), KARL FONTENOT and OLELL TITSWORTH robbed McAnally's Store then kidnapped, raped and murdered the store clerk, DONNA HARAWAY. ROGERS, FEATHERSTONE and SMITH then arrested WARD and incarcerated him in the Pontotoc County Jail, Ada, Oklahoma.

On October 19, 1984, at 1000 hours, FONTENOT was arrested in Huminy, Oklahoma, by OSBI Agents JOE COLLINS and JIM OTTE and transported to Stroud, Oklahoma. There Chief of

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Police RICHARD GRAY and Detective DANNY BARRETT met COLLINS and OTTE and took custody of FONTENOT and transported him to the Police Department in Ada, Oklahoma.

On October 19, 1984, FONTENOT told GARY ROGERS and DENNIS SMITH that he (FONTENOT), WARD and ODELL TITSWORTH robbed McAnally's Store then kidnapped and raped DONNA HARAWAY. TITSWORTH stabbed HARAWAY to death then he (FONTENOT) helped burn the body.

On October 20, 1984, ODELL TITSWORTH was arrested in Talequah, Oklahoma, and transported to the Ada Police Department. On October 24, 1984, TITSWORTH was released from custody because no evidence was obtained against him.

On October 24, 1984, at 2030 hours, TOMMY WARD and five other white males were placed in a line-up at the Ada Police Department. The line-up was conducted in the presence of Pontotoc County District Attorney BILL PETERSON, WARD'S Attorneys DON WYATT and MIKE ADLINGTON, Agent GARY ROGERS and Ada Police Department Detective DENNIS SMITH.

LENNY TIMMONS and GENE WHELCHER identified WARD as looking like the person that they saw leave McAnally's Convenience Store on April 28, 1984, with a blonde headed woman, thought to be DONNA HARAWAY. DAVID TIMMONS made no identification of anyone in the line-up.

The following people, and the order in which they stood, were used in the line-up:

JAMES BOSTICK
RICHARD SULLIVAN
ROSS TUCKER
TOMMY WARD
RANDY COURTNEY
MARK MORRIS

On November 7, 1984, WARD and FONTENOT were charged with Robbery, Rape, Kidnapping and First Degree Murder in Pontotoc County District Court, Ada, Oklahoma.

On November 8, 1984, at 1935 hours, WARD and six other persons were placed in a line-up at the Ada Police Department. The line-up was conducted in the presence of WARD'S Attorney, DON WYATT, Assistant Pontotoc County District Attorney CHRIS ROSS, Agent GARY ROGERS, Ada Police Department Officers DENNIS SMITH, JAMES FOX, MIKE BASKIN, Pontotoc County Deputies

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TOM TURNER, RICK JOHNSON, WES EDENS and East Central Campus Police Officer RAY FARMER.

After the line-up, PASCAL said, "GARY, if number six (WARD) is not the kid I saw at J.P.'S its his damn twin brother. Its just him."

The following people were placed in the line-up:

RANCE STEIN
PAUL CARTER
GARY GREEN
JAY WYATT
GARY DARBY
TOMMY WARD
RANDY COURTNEY

On November 19, 1984, at 1930 hours, WARD and six other persons were placed in a line-up at the Ada Police Department. The line-up was conducted in the presence of WARD'S Attorney, DON WYATT, Pontotoc County Assistant District Attorney CHRIS ROSE, Agent ROGERS, Ada Police Department Officers DANNY BARRETT, MIKE BASKIN and East Central University Campus Police Officer RAY FARMER.

After the line-up KAREN WISE said, "That night (April 28 th) number four (WARD) stands out in my mind as being one of the guys that I served, I really think thats the guy." "He doesn't look the same, he's hollow eyed and his hair is dirty."

Witness JIM MOYER said, "Number four (WARD) stuck out as being the guy I saw that night." MOYER said that he knew number five (MYERS) because MOYER had a class at East Central University with MYERS. MOYER said number two (BRIDGES) had a hair color similar to the person he saw the night of McAnally's robbery.

The following people were placed in the line-up:

ROSS TUCKER
PAUL BRIDGES
DAVID MARTIN
TOMMY WARD
DAVID MYERS
J. C. NICHELL
JAMES BOSTIC
?

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On December 11, 1984, at 1930 hours, KARL FONTENOT and six other persons were placed in a line-up at the Ada Police Department. The line-up was conducted in the presence of FONTENOT'S Attorney, GEORGE BUTNER, Tontoc County Assistant District Attorney CHRIS ROSS, Agent GARY ROGERS, Ada Police Department Officer JAMES FOX and East Central University Campus Police Officer RAY FARMER.

JACK PASCAL and KAREN WISE did not identify anyone from the line-up. JIM MOYER said, "I would still have to go with number five (FONTENOT)."

At FONTENOT'S attorney's request, FONTENOT was positioned as the number three person in the line-up when PASCALA looked at the persons in the line-up. FONTENOT was positioned as the number five person in the line-up when MOYER looked at the persons in the line-up.

The following persons were used in the line-up"

GARY OLINGHOUSE
THOMAS MILLER
KARL FONTENOT
RICKY CROW
JOSE CARRASEO
RONNIE MARTIN
SCOTT KELLY

The following is a summary of persons that were interviewed by the Ada Police Officers, Pontotoc County Sheriff's Officers and District Attorney's Staff.

THOMAS JESSE WARD on May 1, 1984, told Detective DENNIS SMITH that he had not been in the McAnally's Store on Arlington in six months. WARD also told SMITH that he had known HARAWAY for about one year. WARD and FONTENOT were supposed to have been fishing at a pond on April 28, 1984, dark and then went to a party next door to ROBERTS' apartment. Later that night, the police showed up. WARD spent the night at ROBERTS with FONTENOT.

WARD on October 3, 1984, told District Attorney's Investigator LOYD BOND and Deputy TOM TURNER that WARD and FONTENOT had gone fishing on April 26, 1984. On April 27, 1984, WARD and FONTENOT went to a keg party at JANETTE ROBERTS and he stayed until 0400 hours, April 28, 1984, then he went home. WARD was sick and stayed at home all day and babysat for his sister. He went to sleep that night and was awakened by his brother-in-law, ROBERT CAVINS, and WARD helped CAVINS fix a broken pipe under the house. The next day he helped BILL and TONY TATUM haul hay.

During the interview Deputy TURNER showed WARD a picture of RONALD GENE TISDALE and asked him who it was and WARD replied that it was TITSWORTH.

JAMES MOYER on April 30, 1984, told Detective DANNY BARRETT that on April 28, 1984, at about 1930 hours, MOYER was in McAnally's on East Arlington. MOYER saw a light gray, rough looking 1967 to 1969 Chevrolet pickup parked facing the building between the ice machine and the front door. MOYER saw a dark haired male enter the store then later a blonde haired male enter the store. MOYER left shortly thereafter. MOYER looked at the tag number but could not remember it.

TERRI McCARTNEY on November 6, 1984, told Deputy TOM TURNER that KARL FONTENOT told her that he (FONTENOT), TOMMY WARD and ODELL TITSWORTH had pulled McAnally's robbery and that they killed and burned her. Also he had denied to McCARTNEY that he was not involved in McAnally's robbery.

LEONARD KEITH MARTIN on November 5, 1984, told LOYD BOND that he (MARTIN) heard KARL FONTENOT tell TERRI McCARTNEY that he (FONTENOT) and TOMMY WARD had gotten the girl from the convenience store, drove her to an old house then raped and killed her and then burned her in the old house.

PAULA BOREN on November 5, 1984, told Deputy TOM TURNER that on two occasions LOREN heard WARD say that he cut HARAWAY on the arm and breast and another time WARD told BOREN that looking for the body would be like looking for a needle in a haystack.

JANET LYONS WELDON told Detective MIKE BASKIN that DONNA HARAWAY was JANET'S sister and she had given DONNA a light lavender colored blouse, with small blue flowers on it. It had lace around the collar and gathered with elastic on the sleeves and buttoned down the front. JANET checked DONNA'S clothes, since the robbery and did not find the blouse.

Doctor NORMAN FRAME on November 13, 1984, told Detective MIKE BASKIN that he (FRAME) had HARAWAY in his class during the spring and considered her a good, dependable student. She was well adjusted and thought highly of by the instructors and her peers.

DONNA HOWARD on November 6, 1984, told Detective MIKE BASKIN that she (HOWARD) was HARAWAY'S supervisor while she was a practice teacher. HARAWAY had practice taught six of the required eight weeks with only one absence. HOWARD never noticed anything out of the ordinary about HARAWAY and had no reason to believe that she would not be in school on April 30, 1984. HARAWAY seemed very interested in becoming a teacher.

O. A. McANALLY on November 16, 1984, told Detective DANNY BARRETT he owned the McAnally's Convenience Store Chain. He bought the Arlington Store July 15, 1981. McANALLY considered HARAWAY a good employee. McANALLY had a burglary November 15, 1981, but he could not connect WARD with it. LISA LAWSON, an employee at the time, dated TOMMY WARD.

JACK FASCAL on November 8, 1984, told Detective FOX that he came to J.P.'S Convenience Store on April 28, 1984, sometime prior to 2000 hours. He sometimes worked there. At KAREN WISE'S request he checked on two men who were playing pool. The men made WISE nervous. FASCAL checked the room and when he came back to the front, one of the men came up for some change. FASCAL described the subject as a young man, slender build, medium to light brown hair that came down just below the ear, slim face, five feet, ten inches to five feet, eleven inches tall and his cheeks had a hollow appearance. He described the second person as a young white man with a ruddy complexion, sandy blonde hair with a reddish tint, husky build, five feet, nine inches to five feet, eleven inches tall and

weighing 185 pounds. PASCAL described the pickup they were in as a mid 1960's to early 1970's Chevrolet painted with primer paint.

CYNTHIA WEAVER on October 30, 1984, told LLOYD BOND that WEAVER worked at the U-Totem Store at Main and Mississippi from February 4, 1984 until April 9, 1984. During that time, TOMMY WARD, whom she had known for seven years, and KARL FONTENOT came into the store and WARD said to her, "What if we rob?" FONTENOT ran around the store yelling and screaming and knocking items off the shelves. At WEAVER'S request, WARD finally left the store.

DAVID YOCKEY on November 14, 1984, told Detectives BASKIN and SMITH that he had known WARD for a long time and he had seen WARD carry a folding buck pocket knife in his back pocket. He also saw WARD pull the knife on a man in a bar in Tahihina, Oklahoma.

JIM BOB HOWARD on November 16, 1984, told Detective DENNIS SMITH that HOWARD had known TOMMY WARD about a year and a half. He had seen WARD carry a lock blade pocket knife with a four or five inch blade.

AGNES LUMPMOUTH on October 24, 1984, told Detective DANNY BARRETT that LUMPMOUTH is the mother of MICHELLE WHEELER. MICHELLE WHEELER came to LUMPMOUTH'S home the day TITSWORTH broke his arm and later that day, TITSWORTH came over after he got out of jail. They both stayed there for several days without going anywhere because TITSWORTH'S arm was hurting. LUMPMOUTH never saw TITSWORTH in a vehicle while he stayed there and he never had any visitors.

MICHELLE WHEELER on October 23, 1984, told Detectives MIKE BASKIN and Deputy TOM TURNER that WHEELER dated ODELL TITSWORTH and was living with him at his mother's house on April 26, 1984, when he was arrested by Ada Police on a disturbance charge. During the arrest, TITSWORTH'S arm was broken. TITSWORTH got out of jail on April 26th and came over to WHEELER'S mother's house and TITSWORTH did not leave the house until April 29, 1984, and that was when they went to Blue River to go swimming with friends. TITSWORTH did not swim because he had a cast on his arm from his wrist to his shoulder.

GORDON DOUGLAS CALHOUN on November 13, 1984, told LLOYD BOND that CALHOUN lived in the apartment next door to JANETTE GLOVER ROBERTS. CALHOUN could not remember a party on April 28, 1984, but said they partied a lot. CALHOUN knew TOMMY WARD and KARL FONTENOT, but knew very little about them.

When WARD came to the parties he did not stay long because people did not like him.

CALHOUN had heard WARD talk about robbing and stealing.

CALHOUN heard FONTENOT say at a party that he knew who did the McAnally's robbery and CALHOUN heard someone tell him to shut up.

CALHOUN noticed that TOMMY WARD changed his hair style in May 1984 and started wearing it shorter.

THAD SELLARS on December 21, 1984, told MIKE BASKIN that SELLARS lived across the street from the WARDS for over twenty years. TOMMY WARD'S father had the house built but not finished and the only source of water for the house for years was an outside hydrant. The WARD had no in-door plumbing and carried their waste out in a bucket to an adjacent lot to a septic tank.

TRIPP HALL on December 13, 1984, told BASKIN that HALL was the instructor at Valley View Hospital, EMT Class, in which JOYCE CAVINS was a student. The class was scheduled from 0900 to 1500 on April 28, 1984 and records indicated that CAVINS was present that day. The class sometimes was released as early as 1300 to 1400 hours and they rarely stayed past the 1500 schedule.

MELVIN HARDEN on November 16, 1984, told Deputy TOM TURNER that sometime in late May or early June 1984, TOMMY WARD told HARDEN that he (WARD) did the McAnally robbery and they would never find the body.

MIKE ROBERTS on October 23, 1984, told DENNIS SMITH that ROBERTS was JANETTE GLOVER ROBERTS' husband and he worked with WARD up until WARD's arrest. WARD told ROBERTS that he dreamed about the HARAWAY case after he was interviewed on October 12, 1984, by Detectives BASKIN and SMITH.

ROBERTS said that WARD told him he would black out when he drank and the periods would last a couple of hours.

GENE HOOD on October 25, 1984, told DANNY BARRETT that HOOD owned Collins Lumber Company and he was asked to check his sales tickets for plumbing supplies under the name of WARD or CAVINS for the month of April, but he could find none.

BARRETT checked all other businesses in the Ada area and could find nothing indicating that any plumbing supplies were purchased in the name of WARD or CAVINS.

PRICE on September 17, 1984, told DEANIS PRICE, while returning from her baby's doctor's appointment on July 30, 1984, was followed and forced off the highway by a silver pickup with gray primer spots. The blonde haired suspect broke out her windshield with a board and cursed and threatened her.

She was shown a photo line-up containing the photos of TOMMY WARD and KARI FONTENOT and she picked them out as the two men who ran her off of the road and damaged her car.

OKLAHOMA STATE BUREAU OF INVESTIGATION

Date of Transcription 12/31/84/kc

HARVEY PHILLIPS, Sergeant, Police Department, Ada, Oklahoma, provided the following information:

At about 2050 hours on April 28, 1984, PHILLIPS was at the Ada Police Station when Dispatcher KYLE GIBBS received a telephone call reporting that there was not an employee inside McAnally's Convenience Store on Broadway in Ada. GIBBS told the caller that he would notify the Pontotoc County Sheriff's Office because the store was outside the Ada City limits.

About two minutes later, GIBBS received another telephone call and the caller reported that there had been a mistake and the caller reported that no employee was inside the McAnally Convenience Store on Arlington Street in Ada. PHILLIPS got into a police cruiser and drove toward the McAnally Store on Arlington Street on the east side of Ada.

After about ten minutes, PHILLIPS arrived at the store where he saw GENE WHELCHER, LENNIE TIMMONS and two men who PHILLIPS did not know. TIMMONS told PHILLIPS that when TIMMONS and WHELCHER had arrived at the store, they did not find any store employee inside the store so WHELCHER telephoned the McAnally Store on Broadway in Ada, Store Manager MONROE ATKESON and the Ada Police Department.

PHILLIPS saw that the store's cash register drawer was open and there were no five, ten or twenty dollar bills in the register. There were one dollar bills and coins inside the register and there was a brown vinyl purse and keys behind the cash register counter. The store's interior appeared orderly and WHELCHER told PHILLIPS that neither WHELCHER nor TIMMONS had disturbed anything inside the store except the telephone.

Interviewed on 04/30/84 at Ada, Oklahoma File # CR #84-094
by Agents JOE HOGAN and GARY ROGERS Date dictated 05/07/84

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